



July 27, 2006

TO: Transportation Authority of Marin Commissioners

FROM: Dianne Steinhauser, Executive Director

RE: Measure A Allocations: Strategy 2 – US 101 HOV Gap Closure  
Agenda Item 14

### **Executive Summary**

Transportation for Livable Communities (TLC) funds are intended to use transportation investments in a way that creates more vital and livable neighborhoods. The TLC Program includes capital and planning funds that are competed for on the regional level and local county shares that allow the Congestion Management Agencies (CMA) to award TLC funds to local projects in their respective counties. In December 2005, TAM programmed County TLC funds to the Town of Fairfax in the amount of \$500,000 to redesign and enhance Center Boulevard and to the County of Marin in the amount of \$198,906 to improve pedestrian and vehicle safety in the vicinity of the Fireside Apartments at 115 Shoreline Highway. TAM authorized the equal exchange of federal TE funds with MTC for Measure A funds in the amount of \$2,432,000. This arrangement would allow MTC to program Marin County's share of TE funds to the Hwy 101 Puerto Suello Bicycle/Pedestrian Path Project with the commitment from TAM to allocate equal amount of Measure A funds to local projects that would have been funded with TE, TLC, and Housing Incentive Program (HIP) funds. This leveraged "swap" arrangement was approved by the TAM Board in December 2005.

The TLC funded projects represent the first opportunity to allocate Measure A funds through the swap. The total amount of TE funds awarded to these projects is \$378,906. In exchange for the TE funds programmed for the Puerto Suello Bicycle/Pedestrian Path Project, the Town of Fairfax and the County of Marin would receive allocations of \$180,000 and \$198,906 in Measure A funds respectively to complete their projects. Of the \$180,000 requested in Measure A funds for the Center Boulevard Redesign Project, \$10,000 is budgeted for environmental work and \$170,000 for construction. The Town of Fairfax will be allocated \$10,000 in Measure A funds to complete environmental and return for a subsequent allocation for construction after environmental clearance is obtained.

**Recommendation: TAM allocates \$10,000 and \$198,906 in Measure A funds from Strategy 2 of the Measure A Strategic Plan to the Town of Fairfax's Center Boulevard Project and the County of Marin's Fireside Traffic Safety Project, respectively.**

### **Background**

Transportation for Livable Communities (TLC) funds are intended to use transportation investments in a way that creates more vital and livable neighborhoods. The TLC Program

includes capital and planning funds that are awarded on a competitive basis to agencies in the Bay Area. The TLC Program also includes local shares that allow the Congestion Management Agencies (CMA) to award TLC funds to local projects in their respective counties. In December 2005, TAM programmed County TLC funds to Town of Fairfax in the amount of \$500,000 to redesign and enhance Center Boulevard and to the County of Marin in the amount of \$198,906 to improve pedestrian and vehicle safety in the vicinity of the Fireside Apartments at 115 Shoreline Highway.

In its role as the CMA for Marin County, TAM is responsible for programming Transportation Enhancement (TE) funds. As part of the Regional Transportation Plan (RTP), TE funds have been prescribed by MTC to fund projects in two programs: the County Transportation Enhancements Program and the County TLC/Housing Incentive Program (HIP).

### **Discussion**

In December 2005, TAM authorized (Resolution 2006-02) the equal exchange (also more commonly known as “swap”) of federal TE funds with MTC for Measure A funds in the amount of \$2,432,000. This arrangement would allow MTC to program Marin County’s share of TE funds (\$2,432,000) to the Puerto Suello Bicycle/Pedestrian Path Project with the commitment from TAM to allocate equal amount of Measure A funds to local projects that would have been funded with TE, TLC, and Housing Incentive Program (HIP) funds. Since the Puerto Suello Bicycle/Pedestrian Path Project is an eligible component of the Highway 101 High Occupancy Vehicle (HOV) Gap Closure Project, funds from Strategy 2 of the Measure A Strategic Plan would be used for this funding swap.

### ***Purpose of Fund Swap***

The purpose of the fund swap is to allow TAM to pool federal funds for use on the already-federally funded Highway 101 HOV Gap Closure project and provide relief to local TLC project sponsors on the administrative burden associated with using federal funds for smaller, local projects. Sponsors have communicated to TAM the difficulty of using small amounts of federal funds to develop and construct these projects. The federal process is extensive, with required federal Disadvantaged Business Enterprise (DBE) compliance, federal pre-award audits, federal environmental clearance requirements, documentation of compliance with all federal requirements, and slow reimbursement being some of the challenges faced by sponsors. Since the Highway 101 Gap Closure Project is already “federalized,” it has met all requirements to receive additional federal funds. Local sponsors, particularly those with smaller projects, would be spared the burden of meeting federal requirements by receiving Measure A funds.

### ***Projects to be Swapped***

The two abovementioned projects funded from the County TLC funds represent the first opportunity to program Measure A funds through the swap, because the \$500,000 in TLC funds awarded to the Town of Fairfax include \$180,000 in TE funds and \$320,000 in Congestion Mitigation/Air Quality (CMAQ) funds and the \$198,906 in TLC funds awarded to the County of Marin comprised of all TE funds. The total amount of TE funds awarded to these projects is \$378,906. In exchange for the TE funds programmed for the Puerto Suello Bicycle/Pedestrian Path Project, the Town of Fairfax and the County of Marin would receive allocations of \$180,000 and \$198,906 in Measure A funds respectively to complete their projects.

In regards to the Center Boulevard Redesign Boulevard Project, the Town of Fairfax is in the progress of obtaining environmental clearance. Pursuant to the Implementation Guidelines in the Strategic Plan, Measure A funds cannot be allocated to a project for right-of-way and construction until environmental clearance is obtained. Of the \$180,000 requested in Measure A funds for this project, \$10,000 is budgeted for environmental work and \$170,000 for construction. The Town of Fairfax would be allocated \$10,000 in Measure A funds to complete environmental and return for a subsequent allocation for construction after environmental clearance is obtained. Fairfax concurs with this strategy.

Given the amount of Measure A funds allocated at this time is only \$208,906, which is far below the TE funds programmed to the Puerto Suello Bicycle/Pedestrian Path Project, \$2.432 million, more Measure A projects will be allocated in the future to consummate the swap.

**Recommendation**

TAM allocates \$10,000 and \$198,906 in Measure A funds from Strategy 2 of the Measure A Strategic Plan to the Town of Fairfax's Center Boulevard Project and the County of Marin's Fireside Apartment Traffic Safety Project, respectively.

Attachments:

- Resolutions
- Allocation Request Forms (To be distributed at board meeting)

## **TAM RESOLUTION NO. 2006-12**

### **RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN (TAM) FOR THE ALLOCATION OF \$10,000 IN MEASURE A, STRATEGY 2 FUNDS TO THE TOWN OF FAIRFAX FOR THE ENVIRONMENTAL PHASE OF THE CENTER BOULEVARD REDESIGN PROJECT**

WHEREAS, The voters of Marin County approved the authorization of Measure A at the General Election held on November 2, 2004, thereby authorizing that TAM be given the responsibility to administer the proceeds from a one-half cent transaction and use tax; and

WHEREAS, The duration of the tax will be 20 years from the initial year of collection, which began April 1, 2005, with said tax to terminate on March 31, 2025; and

WHEREAS, The tax proceeds will be used to pay for the programs and projects outlined in TAM's Expenditure Plan; and

WHEREAS, TAM has developed a Strategic Plan, that will be updated every two years, to provide guidance on implementing the Expenditure Plan; and

WHEREAS, The Strategic Plan programs Measure A funds over a 20 year period to the four strategies listed in the Expenditure Plan, including Strategy 2 for the Highway 101 High Occupancy Vehicle (HOV) Gap Closure Project; and

WHEREAS, The Puerto Suello Bicycle/Pedestrian Path Project is an eligible component of the Highway 101 HOV Gap Closure Project; and

WHEREAS, In December 2005, TAM programmed County Transportation for Livable Communities (TLC) funds to the Town of Fairfax in the amount of \$500,000 to redesign Center Boulevard between Pastori and Landsdale Avenues; and

WHEREAS, The total amount of \$500,000 in TLC funds programmed for the Center Boulevard project is comprised of \$180,000 in Transportation Enhancement (TE) funds and \$320,000 in Congestion Mitigation/Air Quality (CMAQ) funds; and

WHEREAS, In January 2006, TAM authorized (Resolution 2006-02) the equal exchange of federal TE funds with MTC for Measure A funds in the amount of \$2,432,000; and

WHEREAS, This arrangement would allow MTC to program Marin County's share of TE funds (\$2,432,000) to the Puerto Suello Bicycle/Pedestrian Path Project with the commitment from TAM to allocate equal amount of Measure A funds to local projects that would have been funded with TE, TLC, and Housing Incentive Program (HIP) funds; and

WHEREAS, The purpose of the fund swap is to allow TAM to pool federal funds for use on the already-federally funded Highway 101 HOV Gap Closure project and provide relief to local TLC project sponsors on the administrative burden associated with using federal funds for smaller, local projects; and

WHEREAS, In exchange for the TE funds programmed for the Puerto Suello Bicycle/Pedestrian Path Project, the Town of Fairfax would receive an allocation of \$180,000 in Measure A funds to complete the Center Boulevard Redesign Project; and

WHEREAS, Of the \$180,000 requested in Measure A funds for this project, \$10,000 is budgeted for environmental work and \$170,000 for construction; and

WHEREAS, The Town of Fairfax would receive an allocation of \$10,000 in Measure A funds to complete environmental and return for a subsequent allocation for construction after environmental clearance is obtained; and

WHEREAS, This allocation is consistent with the 2006 Measure A Strategic Plan; and

WHEREAS, There are sufficient funds in the Strategy 2 line item of the TAM's approved Fiscal Year 2006/07 budget to cover the proposed action; and

WHEREAS, After reviewing the request in coordination with project sponsors, TAM staff recommended allocating \$10,000 in Measure A funds as requested; now, therefore, be it

RESOLVED, That the Transportation Authority of Marin hereby allocates \$10,000 in Measure A funds to the Town of Fairfax for the environmental phase of the Center Boulevard Redesign Project from Strategy 2 of the Measure A Strategic Plan; and be it further

RESOLVED, That the Transportation Authority of Marin finds the allocation of these funds to be in conformance with the priorities and funding levels established in the Measure A Expenditure Plan and the 2006 Measure A Strategic Plan; and be it further

RESOLVED, That the Transportation Authority of Marin hereby authorizes the actual expenditure (cash reimbursement) of funds for this activity to take place subject to the Fiscal

Year Cash Flow Distribution Schedule detailed in the attached Allocation Request Forms; and be it further

RESOLVED, That as a condition of this authorization for expenditure, the Executive Director shall impose such terms and conditions as are necessary for the project sponsor to comply with applicable law and adopted Authority policies and execute Funding Agreement with the project sponsor to that effect; and be it further

RESOLVED, That as a condition of this authorization for expenditure, the referenced project sponsor shall provide the Authority with any other information it may request regarding the use of the funds hereby authorized.

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 27<sup>th</sup> day of July 2006, by the following vote:

AYES:

NOTES:

ABSENT:

\_\_\_\_\_  
Steve Kinsey, Chair  
Transportation Authority of Marin

ATTEST:

\_\_\_\_\_  
Dianne Steinhauser  
Executive Director

## **TAM RESOLUTION NO. 2006-13**

### **RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN (TAM) FOR THE ALLOCATION OF \$196,906 IN MEASURE A, STRATEGY 2 FUNDS TO THE COUNTY OF MARIN FOR THE FIRESIDE APARTMENT TRAFFIC SAFETY PROJECT**

WHEREAS, The voters of Marin County approved the authorization of Measure A at the General Election held on November 2, 2004, thereby authorizing that TAM be given the responsibility to administer the proceeds from a one-half cent transaction and use tax; and

WHEREAS, The duration of the tax will be 20 years from the initial year of collection, which began April 1, 2005, with said tax to terminate on March 31, 2025; and

WHEREAS, The tax proceeds will be used to pay for the programs and projects outlined in TAM's Expenditure Plan; and

WHEREAS, TAM has developed a Strategic Plan, that will be updated every two years, to provide guidance on implementing the Expenditure Plan; and

WHEREAS, The Strategic Plan programs Measure A funds over a 20 year period to the four strategies listed in the Expenditure Plan, including Strategy 2 for the Highway 101 High Occupancy Vehicle (HOV) Gap Closure Project; and

WHEREAS, The Puerto Suello Bicycle/Pedestrian Path Project is an eligible component of the Highway 101 HOV Gap Closure Project; and

WHEREAS, In December 2005, TAM programmed County Transportation for Livable Communities (TLC) funds to the County of Marin in the amount of \$198,906 to improve traffic safety in the vicinity of the Fireside Apartments at 115 Shoreline Highway; and

WHEREAS, The source of the TLC funds programmed for the Fireside Apartment Traffic Safety Project is Transportation Enhancement (TE) funds; and

WHEREAS, In December 2005, TAM authorized (Resolution 2006-02) the equal exchange of federal TE funds with MTC for Measure A funds in the amount of \$2,432,000; and

WHEREAS, This arrangement would allow MTC to program Marin County's share of TE funds (\$2,432,000) to the Puerto Suello Bicycle/Pedestrian Path Project with the commitment

from TAM to allocate equal amount of Measure A funds to local projects that would have been funded with TE, TLC, and Housing Incentive Program (HIP) funds; and

WHEREAS, The purpose of the fund swap is to allow TAM to pool federal funds for use on the already-federally funded Highway 101 HOV Gap Closure project and provide relief to local TLC project sponsors on the administrative burden associated with using federal funds for smaller, local projects; and

WHEREAS, In exchange for the TE funds programmed for the Puerto Suello Bicycle/Pedestrian Path Project, the County of Marin would receive an allocation of \$198,906 in Measure A funds to complete the Fireside Apartment Traffic Safety Project; and

WHEREAS, This allocation is consistent with the 2006 Measure A Strategic Plan; and

WHEREAS, There are sufficient funds in the Strategy 2 line item of the TAM's approved Fiscal Year 2006/07 budget to cover the proposed action; and

WHEREAS, After reviewing the request in coordination with project sponsors, TAM staff recommended allocating \$180,000 in Measure A funds as requested; now, therefore, be it

RESOLVED, That the Transportation Authority of Marin hereby allocates \$180,000 in Measure A funds to the Town of Fairfax for the Center Boulevard Redesign Project from Strategy 2 of the Measure A Strategic Plan; and be it further

RESOLVED, That the Transportation Authority of Marin finds the allocation of these funds to be in conformance with the priorities and funding levels established in the Measure A Expenditure Plan and the 2006 Measure A Strategic Plan; and be it further

RESOLVED, That the Transportation Authority of Marin hereby authorizes the actual expenditure (cash reimbursement) of funds for this activity to take place subject to the Fiscal Year Cash Flow Distribution Schedule detailed in the attached Allocation Request Forms; and be it further

RESOLVED, That as a condition of this authorization for expenditure, the Executive Director shall impose such terms and conditions as are necessary for the project sponsor to comply with applicable law and adopted Authority policies and execute Funding Agreement with the project sponsor to that effect; and be it further

RESOLVED, That as a condition of this authorization for expenditure, the referenced project sponsor shall provide the Authority with any other information it may request regarding the use of the funds hereby authorized.

PASSED AND ADOPTED at a regular meeting of the Transportation Authority of Marin held on the 27<sup>th</sup> day of July 2006, by the following vote:

AYES:

NOTES:

ABSENT:

---

Steve Kinsey, Chair  
Transportation Authority of Marin

ATTEST:

---

Dianne Steinhauser  
Executive Director